

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,  as representative of  THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i>  Debtors. <sup>1</sup>	PROMESA Title III  Case No. 17 BK 3283-LTS (Jointly Administered)
In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO  as representative of  PUERTO RICO ELECTRIC POWER AUTHORITY,  Debtor.	PROMESA Title III  Case No. 17 BK 4780-LTS

**INFORMATIVE MOTION TO SUBMIT EXHIBITS FOR JUNE 3 HEARING**

**TO THE HONORABLE COURT:**

**COMES NOW** Unión de Trabajadores de la Industria Eléctrica y Riego, Inc. (“UTIER”), as creditor and party in interest pursuant to 11 U.S.C. §1109(b), and respectfully submits this *Informative Motion to Exhibits for June 3 Hearing*, and states as follows:

**JURISDICTION AND VENUE**

1. The United States District Court for the District of Puerto Rico has subject matter jurisdiction over this Motion pursuant to Section 306(a) of PROMESA. 48 U.S.C. §2166(a).
2. Venue is proper pursuant to Section 307(a) of PROMESA. 48 U.S.C. §2167(a).

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PB”)(Bankruptcy Case No. 19-BK-5523-LTS)(Last Four Digits of Federal Tax ID: 3801)(Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

### **PRELIMINARY STATEMENT**

3. UTIER respectfully submits additional exhibits for the hearing scheduled for June 3<sup>rd</sup>, 2020 (“June 3<sup>rd</sup> Hearing”). Inclusion of these exhibits is necessary to ensure that there is a complete record of the Parties’ arguments and to promote an efficient process within the remote hearing.

### **BACKGROUND**

4. On June 3<sup>rd</sup>, 2020, this Honorable Court will be hearing arguments on *PREPA’s Urgent Motion for Entry of an Order Authorizing PREPA to Assume Certain Contracts with Ecoeléctrica, L.P. and Gas Natural Aprovevisionamientos SDG, S.A.* [Docket No. 1951] and the corresponding objections, replies and sur-replies.
5. On May 26, 2020, this Honorable Court issued the *Order Regarding Procedures for June 3-4, 2020, Omnibus Hearing* (“Procedural Order”) [Docket No. 13220]. The Procedural Order states that “[t]o the extent that counsel intend to rely on exhibits and/or demonstratives at the hearing, counsel shall file any such exhibits and/or demonstratives as a single attachment, . . . to an informative motion labeled to correspond to the relevant agenda item and/or motion . . . by **3:00 p.m. [AST] on June 2, 2020.**” (emphasis in original)[Docket No. 13220 at 5 ¶ 8].
6. On June 1<sup>st</sup>, 2020, UTIER corresponded with the Puerto Rico Electric Power Authority (“PREPA”) and the Financial Oversight and Management Board (“FOMB”) regarding this matter. On June 2<sup>nd</sup>, 2020, PREPA responded that it would review the exhibits for authenticity. PREPA eventually responded that it had no objection to the authenticity of the documents but disputed the admissibility of any exhibit in this contested matter.

### **EXHIBITS**

7. In the June 3<sup>rd</sup> Hearing, UTIER will be referring to the following documents in its oral arguments, attached as exhibits:

- 1) Puerto Rico Energy Bureau (“PREB”) Docket, Case No. NEPR-AP-2019-0001. [UTIER MTA Exhibit 1]
  - 2) PREB Docket, Case No. NEPR-MI-2020-0005. [UTIER MTA Exhibit 2]
  - 3) PREPA Integrated Resource Plan 2019. [UTIER MTA Exhibit 3]
  - 4) Application for Authorization from the Project Management and Innovation Office to Award Contracts. [UTIER MTA Exhibit 4]
  - 5) Memorandum from PREPA’s CEO to the PREB. [UTIER MTA Exhibit 5]
  - 6) PREPA’s Power Point on EcoEléctrica and Naturgy Proposed Contract Extensions. [UTIER MTA Exhibit 6]
  - 7) Sargent & Lundy Report. [UTIER MTA Exhibit 7]
  - 8) PREPA’s Responses to UTIER’s Discovery Requests. [UTIER MTA Exhibit 8]
8. Although PREPA does not object to the authenticity of the exhibits, it provided a blanket statement that it disputes the admissibility of all the exhibits.

Dated: June 2, 2020

Respectfully submitted,



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**WE HEREBY CERTIFY** that on this same date we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all participants and Standard Parties.

/s/Rolando Emmanuelli Jiménez  
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